SINGLE BENCH (3)

CF1002

IN THE HIGH COURT OF JUDICATURE AT BILASPUR

CHHATTISGARH

W.P.(S) NO. 5177 /2006

PETITIONER : Ghanshyam Sahu, S/o. Mangalu Sahu, Aged about 36 years, R/o. Jamgaon, Block Pingeshwar, Tahsil Rajim, District Raipur (Chhattisgarh)

P.R. No. 5219/06
Presented by Sh. P. Agrawal
dated 19/9/06

VERSUS

RESPONDENTS :

1] State of Chhattisgarh,
Through: Secretary, Tribal Welfare Deptt., D.K.S. Bhawan Raipur, Distt. Raipur (Chhattisgarh)

2] Secretary,
School Education Department, D.K.S. Bhawan, Raipur, District Raipur (Chhattisgarh)

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3] Commissioner,
Tribal Welfare Department, Chhattisgarh, Raipur, Distt. Raipur (Chhattisgarh)

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4] Collector, Raipur,
District Raipur (Chhattisgarh)

5] Block Education Officer,
Gariyaband, District Raipur (C.G.)

6] Asst. Commissioner,
Tribal Welfare Department, Raipur, District Raipur (C.G.)

(4) 6

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA

HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition No. 5177 of 2006

Petitioner: Ghanshyam Sahu

Versus

Respondents: State of Chhattisgarh & others

Single Bench: Hon'ble Mr. Justice **Satish K. Agnihotri**.

Shri Manoj Paranjpe, Advocate for the petitioner.

Shri Ajay Dwivedi, Panel lawyer for the Respondents.

ORDER

(4th October, 2006)

The following order of the Court is passed by **Satish K. Agnihotri, J.**

1. Learned counsel for the petitioner submits that the petitioner was employed as Assistant Teacher and was working at Government middle school Gariyaband. As per the Rationalization of Teachers Policy dated 8.6.2006 (Annexure P/2) the petitioner was transferred vide order dated 29.6.2006 (Annexure P/3) to Primary School Bagdabra (Gariyaband).
2. It is further submitted by learned counsel for the petitioner that the petitioner, being aggrieved, has filed an appeal before the statutory authority and the same is pending consideration.
3. This petition is misconceived as writ cannot be filed pending statutory appeal before the appellate authority.
4. Thus, this petition is dismissed as being devoid of merit. However, in the facts and circumstances of the case, it is expected that the appellate authority may do the needful in accordance with law expeditiously. No order as to costs.

Sd/-
Satish K. Agnihotri
Judge

Thakur